

1 GEOFFREY A. HANSEN
2 Acting Federal Public Defender
3 VARELL L. FULLER
4 Assistant Federal Public Defender
5 160 West Santa Clara Street, Suite 575
6 San Jose, CA 95113
7 Telephone: (408) 291-7753

EÖÖSÖÖÄÄ ÐÍ ÐGE

5 | Counsel for Defendant JUAN CORTEZ-PADILLA

6

7

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) No. CR 11-00872 RMW
12 Plaintiff,)
13 vs.) STIPULATION AND []
14 JUAN CORTEZ-PADILLA,) ORDER CONTINUING HEARING DATE
15 Defendant.) AND EXCLUDING TIME UNDER THE
) SPEEDY TRIAL ACT

STIPULATION

18 Defendant Juan Cortez Padilla, by and through Assistant Federal Public Defender Varell
19 L. Fuller, and the United States, by and through Special Assistant United States Attorney
20 Meredith Edwards, hereby stipulate that, with the Court's approval, the status hearing currently
21 set for Monday, June 18, 2012, at 9:00 a.m., shall be continued to Monday, July 16, 2012, at 9:00
22 a.m.

23 The reason for the requested continuance is counsel for Mr. Cortez-Padilla requires
24 additional time to conduct legal research and investigation relating to the filing of pretrial
25 motions. Defense counsel respectfully requests additional time to effectively prepare Mr. Cortez-

1 Padilla's defense, and therefore respectfully requests a continuance of the status hearing
2 previously set in this matter on June 18, 2012 to July 16, 2012.

3 Accordingly, the parties agree that the time between June 18, 2012, and July 16, 2012
4 may be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for
5 effective preparation by defense counsel.

6

7 Dated: June 13, 2012

8 _____ /s/
9 VARELL L. FULLER
Assistant Federal Public Defender

10 Dated: June 13, 2012

11 _____ /s/
12 MEREDITH EDWARDS
Special Assistant United States Attorney

13 //

14 //

15 //

16 //

17 //

18 //

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

1 **[PROPOSED] ORDER**

2 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
3 ORDERED that the hearing currently set for Monday, June 18, 2012, shall be continued to
4 Monday, July 16, 2012, at 9:00 a.m.

5 THE COURT FINDS that failing to exclude the time between June 18, 2012, and July 16,
6 2012, would unreasonably deny the defendant reasonable time necessary for effective
7 preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §§
8 3161(h)(7)(B)(iv).

9 THE COURT FINDS that the ends of justice is served by excluding the time between
10 June 18, 2012, and July 16, 2012, from computation under the Speedy Trial Act and outweigh
11 the interests of the public and the defendant in a speedy trial.

12 THEREFORE, IT IS HEREBY ORDERED that the time between June 18, 2012, and
13 July 16, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
14 3161(h)(7)(A) and (B)(iv).

15 IT IS SO ORDERED.

16 Dated: June 16, 2012



THE HONORABLE RONALD M. WHYTE
United States District Judge

18
19
20
21
22
23
24
25
26